

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

|                         |   |                           |
|-------------------------|---|---------------------------|
| PLEASURE WASHINGTON,    | ) |                           |
|                         | ) |                           |
| Plaintiff,              | ) |                           |
|                         | ) |                           |
| vs.                     | ) | Case Number CIV-08-1396-C |
|                         | ) |                           |
| ENCORE HEALTHCARE, LLC, | ) |                           |
|                         | ) |                           |
| Defendant.              | ) |                           |

**MEMORANDUM OPINION**

Plaintiff filed the present action seeking recompense for alleged discrimination related to her employment with Defendant. In response to Plaintiff's Complaint, Defendant answered and asserted various affirmative defenses. Asserting the defenses are insufficiently pled, Plaintiff filed a motion seeking dismissal of the defenses. After filing her motion, Plaintiff sought and obtained leave of Court to file a Second Amended Complaint. Because the filing of the Second Amended Complaint requires Defendant to file a new Answer, and because some the challenged affirmative defenses may no longer be relevant and therefore not raised in the new Answer, the Court finds that Plaintiff's motion for judgment should be stricken as moot.

As set forth herein Plaintiff's Rule 12(c) Motion for Judgment on Insufficient Defenses or in the Alternative Strike Defenses (Dkt. No. 26) is STRICKEN as moot.

IT IS SO ORDERED this 12th day of June, 2009.

  
\_\_\_\_\_  
ROBIN J. CAUTHRON  
United States District Judge